

REMARKS

In view of the above amendments and the following remarks, reconsideration and withdrawal of the objections and rejections set forth in the Final Office Action of July 12, 2005, are earnestly solicited.

Claims 1 and 5 have been amended to clarify Applicants' invention and new claims 8—12 have been added, leaving claims 1—12 pending in the application.

Rejection Under 35 U.S.C. § 103

Claims 1—7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the admitted prior art in view of Nangle and Intel. The rejection is respectfully traversed.

The art of record fails to teach, claim or suggest Applicants' programming of a control module at two separate programming stations, where a wired transmission medium is used at the first station and thereafter application and program software is wirelessly down-loaded at the second station.

The Examiner has asserted:

"Nangle indicates the initial programming can be preprogrammed, not via wireless means, e.g. through a wired means in various parts of his disclosure."

Applicants respectfully disagree. There is simply no reference to wired down-loading in Nangle. The Examiner apparently equates "preprogramming" with a wired down-load. There is no basis in Nangle for such a presumption. Claims 1—7 are believed to be patentably distinguishable over the art of record.

New claims 8—12 cast Applicants' invention in a vehicular assembly line environment not disclosed by the art of record.


Claim 1 and 5, as amended herein, claims 2—4 and 6—7, as earlier presented and new claims 8—12 are believed to be in condition for allowance, early acknowledgment of which is requested.

Respectfully submitted,

Dated:

Oct. 6, 2005

By:



Gordon K. Harris, Jr., Reg. No. 28,615
(248) 944-6526

Attorney for Applicants

Ralph E. Smith, Reg. No. 35,474
CIMS 483-02-19
DaimlerChrysler Intellectual Capital Company LLC
DaimlerChrysler Technology Center
800 Chrysler Drive East
Auburn Hills, MI 48326-2757
248-944-6519